

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

) -v-

RICHARD EVANS)

5:MJ-07-54

2007 NOV 13 A 9:55

LEURA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

FILED

WILKES BARRE

Nov 06 2007

CONSENT TO TRANSFER OF CASE
FOR PLEA AND SENTENCE
(Under Rule 20)MARY E. CANARY, CLERK
Per _____ DEPUTY CLERK

I, Richard Evans, the above-named defendant, have been informed that a Criminal Complaint is pending against me in the above designated cause. I wish to plead guilty to the offense charged, to consent to the disposition of the case in the Middle District of Alabama, and to waive the indictment and trial in the Middle District of Pennsylvania.

Dated: 9-4-07, 2007, at Montgomery, AL, Pennsylvania.

Richard Evans
Richard Evans
Defendant

J. W. B.
Counsel For Defendant

APPROVED

THOMAS A. MARINO
UNITED STATES ATTORNEY
Middle District of Pennsylvania

By: Francis P. Sempa
FRANCIS P. SEMPA
Assistant U. S. Attorney
Middle District of Pennsylvania

LEURA G. CANARY
UNITED STATES ATTORNEY
Middle District of Alabama

By: A. Clark Morris
A. CLARK MORRIS
Assistant U. S. Attorney
Middle District of Alabama

AO 31 (Rev. 3/10) Criminal Complaint

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

-vs-

RICHARD EVANS

(Name and Address of Defendant)

CRIMINAL COMPLAINT

CASE NUMBER: 5:MI-07-54

Count 1. On or about September 5, 2006, in Lackawanna County, in the Middle District of Pennsylvania, the defendant, Richard Evans, willfully and knowingly by force, violence and intimidation, did intentionally take from the person and presence of another, money, approximately \$1041.00 in United States Currency, belonging to and in the care, custody, control, management and possession of the First Liberty Bank and Trust in Scranton, Pennsylvania, whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of 18 U.S.C. 2113(a).

I further state that I am a Special Agent for the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof. X Yes No

Kevin L. Wevodau
Kevin L. Wevodau, Special Agent
Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence

4-26-07

Date

at

Scranton, PA

City and State

Signature of Judicial Officer

Malachy E. Mannion, U.S. Magistrate Judge
Name and Title of Judicial Officer

Certified from the record

Date

10-17-07
Mary E. D'Andrea, Clerk

Per

Bernd A. Semper
Deputy Clerk

Certified from the record

Date

4-26-07
Mary E. D'Andrea, Clerk

Per

Bernd A. Semper
Deputy Clerk

AFFIDAVIT OF PROBABLE CAUSE

Special Agent (SA) KEVIN L. WEVODAU, FEDERAL BUREAU OF INVESTIGATION (FBI), Scranton Resident Agency (SRA), Scranton, Pennsylvania (PA), does hereby swear and depose the following:

- 1.) On or about September 5, 2006, at approximately 11:11 a.m., an unknown white male entered the First Liberty Bank and Trust in Scranton, Pennsylvania, and verbally demanded money from a teller. As a result of the verbal demand from the unknown male, the teller provided \$1,041 in U.S. currency belonging to the bank to this individual. The individual was observed departing the bank area in a light green minivan. The bank's deposits were at the time, and are, FDIC insured.
- 2.) On or about December 15, 2006, the Mobile, Alabama Office of the FBI advised that RICHARD EVANS was arrested on October 18, 2006, for the robbery of the Compass Bank, Montgomery, Alabama. EVANS was subsequently indicted for that robbery on November 15, 2006.
- 3.) This agent reviewed the police reports prepared for the October 18, 2006, robbery of the Compass Bank, Montgomery, Alabama, and the September 5, 2006, robbery of the First Liberty Bank and Trust in Scranton, Pennsylvania, and noticed that there were several similarities. In both bank robberies, the bank robber produced a zipper bag for the victim teller to place the currency into. In both robberies, the bank robber made overt maneuvers to keep his hands off of the counter area. The bank robber also wore a hooded sweatshirt, sunglasses, and a baseball hat during both

Certified from the record

Date 10-17-07 Per Mary E. DiAndrea, Clerk
Mary E. DiAndrea, Clerk
Deputy Clerk

robberies. Both robberies involved an oral demand for money from the victim teller. The getaway vehicle in both robberies was described by witnesses as being a green-colored minivan.

- 4.) This agent forwarded bank surveillance photographs of the robbery at the First Liberty Bank and Trust in Scranton to the Mobile Office of the FBI. This agent was subsequently advised by the Mobile FBI that on March 16, 2007, RICHARD EVANS, who is cooperating with investigators in Alabama, reviewed the bank surveillance photographs sent by this agent, and identified himself as the perpetrator of the robbery in the Scranton bank surveillance video. EVANS stated to FBI agents that he wanted to plead guilty to the Scranton bank robbery, as well as the Alabama bank robbery.

Based upon the above information, this agent believes that probable cause exists that RICHARD EVANS committed the robbery of the First Liberty Bank and Trust in Scranton, PA, on September 5, 2006, in violation of 18 U.S.C. § 2113(a).

Kevin L. Wevoda
KEVIN L. WEVODAU
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before
me this 26th day of April, 2007,
at Scranton, Pennsylvania.


Malachy E. Mannion
United States Magistrate Judge

United States District Court
Middle District of Pennsylvania (Wilkes-Barre)
CRIMINAL DOCKET FOR CASE #: 5:07-mj-00054-MEM All Defendants
Internal Use Only

Case title: USA v. Evans

Date Filed: 04/26/2007

Date Terminated: 11/06/2007

Assigned to: Magistrate Judge Malachy
E. Mannion

Defendant

Richard Evans (1)

TERMINATED: 11/06/2007

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Certified from the record

Date 11-8-09

Mary E. D'Andrea, Clerk

Per

Francis P. Sempa

Deputy Clerk

Complaints

Disposition

18:2113A.F

Rule 20 transfer to Middle District of Alabama

Plaintiff

USA

represented by **Francis P. Sempa**

U.S. Attorney's Office

235 N. Washington Avenue

3rd Floor

Scranton, PA 18503

Email: fran.sempa@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|---|-------------|
|------------|---|-------------|

| | | |
|------------|----|---|
| 04/26/2007 | ●1 | COMPLAINT as to Richard Evans (1) that the deft. did willfully & knowingly by force, violence & intimidation, did intentionally take from the person and present of another, money belonging to and in the care, custody, control, management and possession of First Liberty Bank & Trust in violation of 18:2113(a). (bs,) (Entered: 07/06/2007) |
| 04/26/2007 | ●2 | *SEALED* AFFIDAVIT OF AGENT SEALED - Document is restricted from electronic public view. as to Richard Evans. (bs,) (Entered: 07/06/2007) |
| 04/26/2007 | ● | *SEALED* SEALED DOCUMENT - warrant issued as to Richard Evans. (bs,) (Entered: 07/06/2007) |
| 11/06/2007 | ●3 | CONSENT TO TRANSFER JURISDICTION (Rule 20) to Middle District of Alabama Counts closed as to Richard Evans (1) Count Complaint. (bs,) (Entered: 11/08/2007) |
| 11/08/2007 | ●4 | LETTER from Clerk MD of PA to Clerk MD of AL w/Rule 20 documents enclosed. (bs,) (Entered: 11/08/2007) |